

UNITED STATES PROBATION OFFICE
DISTRICT OF NEVADA
MEMORANDUM

JUL 7 2006

RE: Kenneth S. Olsen

CASE NO.: 3:06-cr-00098-LRH-RAM

SUPERVISION REPORT
REQUEST FOR MODIFICATION OF RELEASE CONDITIONS

June 28, 2006

TO: THE HONORABLE LARRY R. HICKS
U.S. District Judge

On May 13, 2002, Olsen was sentenced to 66 months imprisonment with a 5 year term of supervised release after having pled guilty to one count of Conspiracy to Distribute and Possession with Intent to Distribute More than Five Kilograms of Cocaine. Olsen commenced his supervision term on April 28, 2006, in the District of Nevada. On June 27, 2006, Your Honor accepted jurisdiction over this case.

Due to the nature of crime and recent *Stephens* decision out of the 9th Circuit Court of Appeals, we are requesting that Olsen's case be modified with the following two conditions. Olsen is in agreement with these modifications, as reflected on the attached waiver.

PRAYING THAT THE COURT WILL ORDER THAT CONDITIONS OF SUPERVISION BE MODIFIED TO INCLUDE:

1. **Warrantless Search** - You shall submit to the search of your person, property, or automobile under your control by the Probation Officer, or any other authorized person under the immediate and personal supervision of the probation officer without a search warrant to ensure compliance with all conditions of release.
2. **Drug/Alcohol Testing** - You shall submit to drug/alcohol testing as directed by the probation officer not to exceed 104 tests per year.

ORDER OF COURT: Supervision Modified

Considered and ordered this 7th day of July, 2006, and ordered filed and made a part of the records in the above case.

Larry R. Hicks
Larry R. Hicks
U.S. District Judge

Respectfully submitted,

Todd E. White
Todd E. White
Sr. United States Probation Officer

Date: June 28, 2006

Reviewed by: Rick L. Oehlerking
Rick L. Oehlerking
Supervising U.S. Probation Officer

UNITED STATES DISTRICT COURT

District of Nevada

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

1. **Warrantless Search** - You shall submit to the search of your person, property, or automobile under your control by the Probation Officer, or any other authorized person under the immediate and personal supervision of the probation officer without a search warrant to ensure compliance with all conditions of release.
2. **Drug/Alcohol Testing** - You shall submit to drug/alcohol testing as directed by the probation officer not to exceed 104 tests per year.

Witness 
U.S. Probation Officer

Signed 
Probationer or Supervised Releasee

April 28, 2006

Date